

STORCH AMINI PC

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BY ECF FILING

The Honorable Andrew T. Baxter
United States Magistrate Judge
Federal Building and U.S. Courthouse
P.O. Box 7396
Syracuse, New York 13261

Re: H'Shaka v. O'Gorman et al., No 17-CV-0108

Dear Judge Baxter:

We represent the plaintiff in this action and write to provide a status report as directed by the Court's September 18 order.

Due to the circumstances, as will be explained below, we are not in a position to advise the court whether further court intervention is required regarding discovery disputes. Through yesterday evening, defendants had not produced any documents responsive to the Court's August 7 order beyond the 61 pages produced on September 10, nor had they produced revised versions of those 61 pages complying with the Court's September 18 order requiring that certain information not be redacted.

This morning, defense counsel produced 884 pages of documents to us, including, they have advised us, revised versions of the prior 61 pages without the redactions that had been objected to. Defense counsel has advised us that they still need to do some more follow-up with their clients and/or DOCCS before they can represent that all documents directed to be produced by the August 7 order have been located and produced. We have not yet had time to review this production in order to assess either its completeness or the appropriateness, in light of the September 18 order, of any redactions. We are also waiting for more information on whether defendants will produce metadata-containing electronic copies of the documents, which we have requested.

We would suggest under the circumstances filing a follow-up status report no later than October 12, by which time we would hope to have a consensus with defense counsel on both the completeness of the production and the appropriateness of any redactions, or at least have focused and narrowed any unresolved issues requiring the Court's intervention.

Respectfully submitted,



John W. Brewer

cc: All Counsel of Record (via ECF)